

10-14-09

PTO/SB/88 (03-09)

Approved for use through 03/31/2012. OMB 0651-0016
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))**

Docket Number (Optional)

DE1850

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No. 6058418Application Number 08801458Issue Date 05/02/2000Filing Date 02/18/1997

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.386(c) and (d).

Also complete the following information, if applicable

The above - identified patent

☐

Is a reissue of original Patent No. _____ original issue date _____

original application number _____

original filing date _____

☐

resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____

filed on _____

CERTIFICATE OF MAILING (37 CFR 1.89(a))

I hereby certify that this paper (*along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class main in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

11/09/09

Date

Audrey de Souza

Signature

Audrey de Souza

Typed or Printed Name of Person Signing Certificate

11/03/2009 CKH LUK 00000015 504581 6058418

01 FC:2552 1240.00 DA
02 FC:1553 1640.00 DA

[page 1 of 3]

Adjustment date: 11/03/2009 CKH LUK
05/05/2009 ECKUBAY1 00000013 504581 6058418
01 FC:1554 2880.00 CR

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 ½ yr fee	(1551)	<input type="checkbox"/> \$ _____	3 ½ yr fee	(2551)
<input type="checkbox"/> \$ _____	7 ½ yr fee	(1552)	<input checked="" type="checkbox"/> \$ 1,240	7 ½ yr fee	(2552)
<input type="checkbox"/> \$ _____	11 ½ yr fee	(1553)	<input type="checkbox"/> \$ _____	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 1,240

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1,640 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of a maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 2,880

5. MANNER OF PAYMENT

☐ Enclosed is a check for the sum of \$ _____

☒ Please charge Deposit Account No. 504581 the sum of \$ 2,880

☐ Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 504581

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7. OVERPAYMENT

As to any overpayment made please

OR



Credit to Deposit Account No. 504581



Send refund check

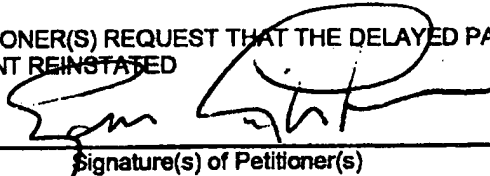
WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED



Signature(s) of Petitioner(s)

EUGENE LIEBERSTEIN

Typed or printed name(s)

212/589-4634 (email: ipgny@bakerlaw.com)

Telephone Number

April 28, 2009

Date

24645

Registration Number, if applicable

Baker & Hostetler,

Address

45 Rockefeller Plaza, New York, NY 10111

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

ENCLOSURES



Maintenance Fee Payment



Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)



POWER OF ATTORNEY & CHANGE OF CORRESPONDENCE ADDRESS
PTO/SB/81

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY
OR
REVOCATION OF POWER OF ATTORNEY
WITH A NEW POWER OF ATTORNEY
AND
CHANGE OF CORRESPONDENCE ADDRESS**

Application Number	08/801,458
Filing Date	02-18-1997
First Named Inventor	Hiroshi Kobata
Title	Marketing Data Delivery System
Art Unit	2757 (Conf: #6293)
Examiner Name	Le, Hieu C.
Attorney Docket Number	DE1650

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

79681

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name

Address

City

State

Zip

Country

Telephone

212-589-4634

Email

ipgny@bakerlaw.com

I am the:

☐ Applicant/Inventor.

OR

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on _____

SIGNATURE of Applicant or Assignee of Record

Signature

Date

27th April 2009

Name

Johji Kitano

Telephone

03-3556-6111

Title and Company

President & CEO, e-Parcel Corporation

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.24, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DE1858, DE1857, DE1852, DE1850, DE1851

Mail Stop Petition
USPTO

This acknowledges receipt of Petition to Accept
Unintentionally delayed payment of Maintenance Fee
w/Power of Attorney & Change of Correspondence
Address (Forms PRO/SB/66 & PRO/SB/81) pr:

USP 663/405 (SN 09170431)
659/1367 (SN 09281894)
6170065 (SN 08970983)
+ 6058418 (SN 08801458)
6098180 (SN 08804114)



mailed: April 29, 2009

Uchida & Lane/jwa

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent No.: 6,058,418
Hiroshi Kobata
Serial No.: 08/801,458
Filed: February 18, 1997
For: Marketing Data Delivery System

Group Art Unit: 2757
Examiner: Hieu C. Le
Confirmation No.: 6293

LETTER

Attn: Steven Brantley
Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

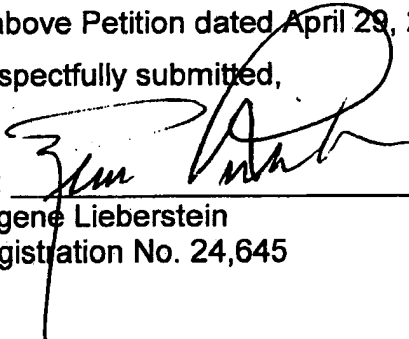
Dear Mr. Brantley:

In response to your request via telephone on October 13, 2009, we are resubmitting herewith a copy of the "Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(c))" dated April 29, 2009, a copy of the "Power of Attorney and Change of Correspondence Address" form, a copy of the return postcard stamped as received by OIPE on May 4, 2009, and a copy of our Deposit Account Statement indicating that our account no. 504581 was charged the required fees on May 5, 2009 for the handling of this Petition.

Applicant respectfully requests that the Petition be expedited due to the long lapsed period of time from the date of filing of the above Petition dated April 29, 2009.

Respectfully submitted,


Dated: October 13, 2009

By: 
Eugene Lieberstein
Registration No. 24,645

CUSTOMER NO.: 79681
BAKER & HOSTETLER, LLP
45 Rockefeller Plaza
New York, NY 10111
Phone: 212-589-4644 / Fax: 212-589-4201

CERTIFICATE OF TRANSMISSION

I hereby certify that this Letter w/attachments is being submitted to M/S Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 via EFS-Web on October 14, 2009.


Audrey de Souza

Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "HK/TT, LLC", CHANGING ITS NAME FROM "HK/TT, LLC" TO "E-PARCEL, LLC", FILED IN THIS OFFICE ON THE FIRST DAY OF APRIL, A.D. 1998, AT 3 O'CLOCK P.M.



A handwritten signature in cursive script, reading "Edward J. Freel", is written over a horizontal line.

Edward J. Freel, Secretary of State

2855567 8100

981183205

AUTHENTICATION:

DATE:

9078402

05-13-98

**CERTIFICATE OF AMENDMENT
OF
CERTIFICATE OF FORMATION
OF
HK/TT, LLC**

The undersigned, being an authorized person, for the purpose of amending the Certificate of Formation of HK/TT, LLC, a limited liability company formed under the Delaware Limited Liability Company Act, Chapter 18, title 6, Delaware Code, Section 18-101 ~~et seq.~~ (the "Act"), hereby certifies, pursuant to Section 18-202(a) of the Act, that:

1. Name: The name of the limited liability company is HK/TT, LLC (the "Company").

2. Amendment to the Certificate of Formation. Section 1 of the Certificate of Formation of such limited liability company is hereby amended and restated to entirety as follows:

"1. Name: The name of the limited liability company is e-Parcel, LLC (the "Company").

This Certificate of Amendment No. 1 is duly executed and filed pursuant to the provision of Section 18-202 of the Act.

(REMAINDER OF PAGE LEFT INTENTIONALLY BLANK)

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Amendment
of HK/TT, LLC. this 1st day of April 1998.

HK/TT, LLC.

By: 

Name: Hiroshi Kobata

Title: Managing Member



**United States
Patent and
Trademark Office**

Return To:
USPTO
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Online
Shopping
Page

Deposit Account Statement

Requested Statement Month: May 2009
 Deposit Account Number: 504581
 Name: BAKER & HOSTETLER LLP
 Attention: JIM COFFMAN
 Street Address 1: 45 ROCKFELLER PLAZA
 Street Address 2:
 City: NEW YORK
 State: NY
 Zip: 10111
 Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
05/01	7067	09863148	6208-21	1251	\$130.00	\$18,363.36
05/01	8093	11521006	80-20693472	1202	\$52.00	\$18,311.36
05/01	8094	11521006	80-20693472	1806	\$180.00	\$18,131.36
05/01	11178	10464547	MM4625DIV	8021	\$40.00	\$18,091.36
05/04	1630	12444559	DE1846	1617	\$130.00	\$17,961.36
05/04	2016	12444559	DE1846	8021	\$40.00	\$17,921.36
05/04	13	10464547	MM4625DIV	1501	\$1,510.00	\$16,411.36
05/04	14	10464547	MM4625DIV	1504	\$300.00	\$16,111.36
05/04	11073	2936662	041592.000007	7401	\$300.00	\$15,811.36
05/05	12	6631405		1599	\$2,130.00	\$13,681.36
05/05	13	6058418 -X		1599	\$2,880.00	\$10,801.36
05/05	14	6098180		1599	\$2,880.00	\$7,921.36
05/05	15	6170065		1599	\$2,880.00	\$5,041.36
05/05	16	6591367		1599	\$2,130.00	\$2,911.36
05/05	13104	77729107	096307.000243	7001	\$325.00	\$2,586.36
05/06	1182	E-REPLENISHMENT		9203	-\$50,000.00	\$52,586.36
05/06	1215	12513567	DE1863	1642	\$430.00	\$52,156.36
05/06	1214	12513567	DE1863	1631	\$330.00	\$51,826.36
05/06	1216	12513567	DE1863	1633	\$220.00	\$51,606.36
05/06	1218	12513567	DE1863	1614	\$440.00	\$51,166.36
05/06	1217	12513567	DE1863	1615	\$416.00	\$50,750.36
05/06	1778	12513567	DE1863	8021	\$40.00	\$50,710.36
05/06	3283	10565286	DE1671	1806	\$180.00	\$50,530.36
05/06	7222	77729723	041297.000220	7001	\$325.00	\$50,205.36
05/06	10366	77730004	041297.000219	7001	\$325.00	\$49,880.36
05/07	1585	10181318	MM4545PCT	1253	\$1,110.00	\$48,770.36
05/07	1586	10181318	MM4545PCT	1801	\$810.00	\$47,960.36
05/07	2067	11704103	MM6033	1251	\$130.00	\$47,830.36
05/07	2068	11704103	MM6033	1801	\$810.00	\$47,020.36